

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOERGEN GEERDS,

Plaintiff,

-v.-

CAPITAL EDGE FUNDING, LLC,

Defendant.

19 Civ. 9122 (KPF)

DEFAULT JUDGMENT

KATHERINE POLK FAILLA, District Judge:

This matter came before the Court on plaintiff Joergen Geerds (“Plaintiff”)’s motion for entry of a default judgment against defendant Capital Edge Funding, LLC (“Defendant”) under Rule 55(b)(2) of the Federal Rules of Civil Procedure. After having considered the arguments and authorities submitted by the Plaintiff, the Court finds as follows:

1. Plaintiff’s complaint and an original summons were served on Defendant on October 16, 2019. An affidavit of service was filed with the Court on November 25, 2019. (Dkt. #5).
2. On January 21, 2020, the Clerk of the Court for the United States District Court, Southern District of New York entered a default against Defendant for failure to plead or otherwise defend this action. (Dkt. #10).
3. Defendant is not a minor, nor an incompetent person, nor a member of the military service of the United States.
4. On January 22, 2020, Plaintiff filed his application for entry of default judgment. (Dkt. #11, 12, 13, 14).

5. Defendant has not filed any opposition to Plaintiff's application for default judgment.

6. The Court scheduled a hearing for Plaintiff's application on March 17, 2020 and Defendant failed to appear.

THEREFORE, IT IS ADJUDGED AND ORDERED that Plaintiff's Application for Entry of Default Judgment is GRANTED pursuant to Fed. R. Civ. P. 55(b)(2); it is

FURTHER ORDERED that the Court declares that Defendant violated Plaintiff's exclusive rights under 17 U.S.C. § 106 of the Copyright Act by engaging in unauthorized copying of Plaintiff's registered work; it is

FURTHER ORDERED that Defendant shall pay \$10,000.00 in statutory damages under 17 U.S.C. § 504(c); it is

FURTHER ORDERED that Defendant shall pay \$2,100.00 in attorneys' fees and \$440.00 in costs pursuant to 17 U.S.C. § 505; it is

FURTHER ORDERED, that Defendant shall pay post-judgment interest under 28 U.S.C.A. § 1961; it is

FURTHER ORDERED that this Court retains jurisdiction over any matter pertaining to this judgment; and it is

FURTHER ORDERED that the Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

This is a final appealable order. *See* Fed. R. App. P. 4(a).

SO ORDERED.

Dated: March 17, 2020
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

KATHERINE POLK FAILLA
United States District Judge